



General Assembly

January Session, 2003

***Amendment***

LCO No. 6292

\*SB0097806292SR0\*

Offered by:

SEN. CAPPIELLO, 24<sup>th</sup> Dist.

To: Subst. Senate Bill No. 978

File No. 586

Cal. No. 361

***"AN ACT CONCERNING MUNICIPAL LIABILITY FOR  
RECREATIONAL LAND USE."***

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective October 1, 2003*) (a) As used in this  
4 section, "professional engineer" means a person licensed as a  
5 professional engineer under chapter 391 of the general statutes, and  
6 "public official" means a federal, state or municipal official (1) having  
7 or duly authorized to exercise executive authority, (2) responsible for  
8 coordinating emergency assistance, disaster relief or similar activities  
9 to protect the public safety, (3) responsible for law enforcement  
10 activities, or (4) responsible for conducting or coordinating building  
11 inspections in an area of this state in which a declared emergency,  
12 disaster or catastrophic event has occurred.

13 (b) A professional engineer who, voluntarily and gratuitously and  
14 other than in the ordinary course of such professional engineer's

15 employment or practice, provides structural, electrical, mechanical or  
16 other engineering services relating to any publicly or privately-owned  
17 structure, building or piping system, in connection with an emergency  
18 declared by the President under federal law or by the Governor under  
19 the laws of this state, when such emergency is caused by a hurricane,  
20 tornado, storm, flood, high water, wind-driven water, tidal wave,  
21 tsunami, earthquake, volcanic eruption, landslide, mudslide,  
22 snowstorm, drought, fire, explosion, collapse or other disaster or  
23 catastrophic event in this state, at the request or with the approval of a  
24 public official acting in an official capacity, shall not be liable for civil  
25 damages for personal injury, wrongful death, property damage or  
26 other loss which results from acts, errors or omissions by such  
27 professional engineer in the performance of such engineering services  
28 that may constitute ordinary negligence.

29 (c) The immunity provided in subsection (b) of this section applies  
30 only in the case of engineering services that are provided during the  
31 period of the declared emergency, including any extension of such  
32 period, or not later than ninety days following the end of such period  
33 or extension. Such immunity does not apply to acts, errors or  
34 omissions constituting gross, wilful or wanton negligence or  
35 intentional misconduct."